

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of : MITCHELL, Julian
Serial No. : 10/675,645
Filed : September 30, 2003
For : Media Proxy Having Interface to Multiple
Virtual Private Networks
Examiner : WHIPPLE, Brian P.
Art Unit : 2452
Customer number : 23644
Confirmation No. : 6074

RESPONSE TO FINAL OFFICE ACTION DATED APRIL 15, 2009

Honorable Director of Patents and Trademarks
PO Box 1450
Alexandria, VA 22313-1450

Dear Sir,

This response is being filed in view of the Examiner's further and final Office Action OF April 15, 2009. No further claim amendments are being made because, as explained below, no further claim amendments are believed to be necessary.

The Examiner has rejected Claims 20-27, 29-31, 33-40, 42-43 and 45-47 as allegedly being anticipated by the applicant's admitted prior art (AAPA). Reconsideration is again requested because, with all due respect, it is submitted that the Examiner has misinterpreted the AAPA.

In point of fact, the Examiner has made inferences about the AAPA that go beyond what the applicant has admitted. Unless the Examiner can cite a reference that discloses that the AAPA functions differently from that explained (and admitted) by the applicant, the Examiner should accept the applicant's explanation as to how the AAPA operates, rather than rely on the Examiner's assumptions.

The examiner states that figure 2 of the applicant's drawings shows VPN gateways directly interfacing the first and second networks thereby connecting the second data network to the plurality of VPNs via the first data network. The application describes figure 2 as follows:

"...the call server 44 can put in the call path specialized media proxies 42 whose operation allows both gateways to communicate with each other. The call server 42 instructs the enterprise media gateway and the trunk gateway to send their packets to the media proxy 42. Essentially the media proxy 42 patches together the VoIP flow coming from the enterprise media gateway and the trunk gateway, as instructed by the call server 44..."

While it may be debatable whether the media proxies of figure 2 "directly" interface the first and second networks, it is quite clear that the media proxies are not part of the VPN data network. In this connection the Examiner has interpreted "having" a media proxy very broadly. However, the media proxies are part of the VPN gateway and not part of the carrier data network as in figure 2. The specification specifically mentions that "The VPN media proxy 250 *integrates* the functionality of the VPN gateway with the functionality of a media proxy" (page 9, line 37-page 1, line 1).

What is clearly not the case is that in the AAPA the VPN gateway is "shared by said plurality of VPNs and providing a plurality of virtual routing functions, respective ones of said plurality of virtual routing functions being connected to respective ones of said plurality of VPNs such that each virtual routing function has an address in a private IP address space of a respective one of said plurality of VPNs" as required by claim 1.

As noted in the first paragraph of the detailed description, this arrangement has the advantage that:

"The virtual router is effectively in the address space of one of the VPNs. Other virtual routers are provided in the address spaces of other VPNs. Hence each VPN appears to have a dedicated call server, though it is actually a shared resource" (page 9, lines 32-34).

The applicant has clearly not admitted that this is a feature of the prior art arrangement of figure 2. It is quite clear from an examination of figure 2 and its related description that this is not the case in the prior art.

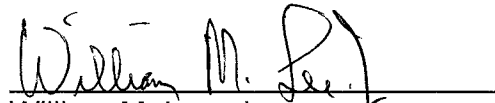
It is also clear from an examination of figure 2 that in the prior art the IP address translator is not part of the media proxy since the media proxy is not part of the VPN data networking and here again the examiner has interpreted "having" in an unreasonably broad sense.

Therefore, it is submitted that it is clear that the applicant has not admitted what the Examiner asserts and, in fact, what is claimed distinguishes from the prior art. It is therefore submitted that this application is in condition for allowance, without further amendment.

Further and favorable reconsideration in this regard is urged.

June 15, 2009

Respectfully submitted,

A handwritten signature in black ink, appearing to read "William M. Lee, Jr.", is written over a horizontal line.

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